

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MMG FINANCIAL CORPORATION,

Plaintiff,

Case No. 06-C-929

v.

MIDWEST AMUSEMENT PARK, LLC,
d/b/a USA INTERNATIONAL RACEWAY,

DR. R.C. SAMANTA ROY INSTITUTE
OF SCIENCE AND TECHNOLOGY, INC.
d/b/a USA INTERNATIONAL RACEWAY,

U.S. ACQUISITIONS & OIL, INC.
d/b/a USA INTERNATIONAL RACEWAY,

and

KAL GRONVALL,
d/b/a USA INTERNATIONAL RACEWAY,

Defendants.

ORDER STAYING SUBPOENA

Plaintiff in the above matter has issued a subpoena to Third-Party Baylake Bank seeking financial and other information relating to the defendants. The matter is post-judgment and the plaintiff is attempting to collect on the Judgment which is now several years old. Defendants have filed a motion to quash the subpoena, claiming that they did not receive notice of it from the plaintiffs and were only recently told of its existence by the bank. Rule 45 requires that if a subpoena demands a production of documents from a third party, it must be served on each party before it is served on the person to whom it is directed. The obvious intent of the rule is to allow the party whose records are sought to challenge the subpoena. If as alleged Plaintiffs failed to serve

the subpoena on the defendants before serving it on the third party, defendants may be entitled to relief. Accordingly, the subpoena is stayed pending further hearing.

SO ORDERED this 8th day of July, 2014.

s/ William C. Griesbach
WILLIAM C. GRIESBACH
Chief U.S. District Judge